

Serial No. 09/544,150

REMARKS

This amendment is responsive to the official action dated August 28, 2003.

Claims 1-30 were pending in the application. Claims 1-30 were rejected. No claims were allowed by the Examiner.

By way of this amendment, the Applicant has amended Claims 1 and 24. Claims 2-23 and 25-30 remain unchanged.

Accordingly, Claims 1-30 are currently pending.

I. **REJECTION OF CLAIMS UNDER 35 USC 101**

The Examiner rejected claims 1-30 under 35 USC 101 as being directed to non-statutory matter. Specifically, the Examiner stated that the claims recite a series of steps in the abstract that are not sufficiently grounded in the "technological arts" and therefore do not satisfy the statutory requirements. The Applicant has amended the independent claims to include limitations that require the use of a computer processor as recommended by the Examiner thereby grounding the process of the present invention in the "technological arts". Reconsideration and withdrawal of this rejection is therefore requested.

II. **REJECTION OF CLAIMS UNDER 35 USC 102**

Claims 24-30 were rejected under 35 USC 102(e), as being anticipated by US Patent No. 6,345,261 (Feidelson et al.). The Applicant has amended the Specification in the present application to claim priority back to an earlier filed Provisional Application for Patent, US Application No. 60/128,597, filed April 9, 1999. This claim to priority establishes an effective filing date in the present application as April 9, 1999. The subject matter of the present application is believed to be fully disclosed and enabled under the disclosure of the earlier filed Provisional Application. Since the filing date of the cited reference, September 30, 1999, does not predate the filing date of the present application, the cited reference cannot be used as valid prior art in the present application. In view of this fact, the present grounds for rejection are rendered moot. Withdrawal of this rejection is therefore requested.

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III. REJECTION OF CLAIMS UNDER 35 USC 103

Claims 1-23 were rejected under 35 USC 103(a) as being unpatentable over US Patent No. 6,345,261 (Feidelson et al.). The Applicant has amended the Specification in the present application to claim priority back to an earlier filed Provisional Application for Patent, US Application No. 60/128,597, filed April 9, 1999. This claim to priority establishes an effective filing date in the present application as April 9, 1999. The subject matter of the present application is believed to be fully disclosed and enabled under the disclosure of the earlier filed Provisional Application. Since the filing date of the cited reference, September 30, 1999, does not predate the filing date of the present application, the cited reference cannot be used as valid prior art in the present application. In view of this fact, the present grounds for rejection are rendered moot. Withdrawal of this rejection is therefore requested.

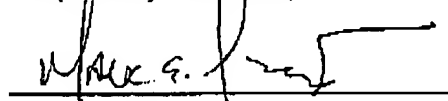
IV. CONCLUSION

Accordingly, claims 1-30 are believed to be in condition for allowance and the application ready for issue.

Corresponding action is respectfully solicited.

PTO is authorized to charge any additional fees incurred as a result of the filing hereof or credit any overpayment to our account #02-0900.

Respectfully submitted,



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